- 1			
1	MARK E. FERRARIO, ESQ. NBN 1625		
2	TAMI D. COWDEN, ESQ. NBN 8994 CHRISTOPHER R. MILTENBERGER, ESQ. NBN 10153 GREENBERG TRAURIG, LLP 3773 Howard Hughes Parkway, Suite 400 North Las Vegas, Nevada 89169 Telephone: (702) 792-3773 Fax: (702) 792-9002		
3			
4			
5	ferrariom@gtlaw.com		
6	cowdent@gtlaw.com miltenbergerc@gtlaw.com		
7	Counsel for Defendants/Counterclaimants Laidlaw & Company (UK) Ltd., Matthew D. Eitner, and James P. Ahern		
8	UNITED STATES DISTRICT COURT		
9	DISTRICT OF NEVADA		
10	RELMADA THERAPEUTICS, INC., a	Case No.: 2:15-CV-	
11	Nevada corporation,		
12	Plaintiff,	CTIDIU ATION AN	
13	VS.	STIPULATION AN REGARDING PLA	
14	LAIDLAW & COMPANY (UK) LTD., a foreign corporation, MATTHEW D. EITNER, an individual and citizen of New Jersey, and JAMES P. AHERN, an individual and citizen of New Jersey,	FOR LEAVE TO A (Dkt. #39) AND CO DEFENDANTS' M	
15			
16		PARTIALLY DISM COUNTERCLAIM	
17	Defendants.		
18	LAIDLAW & COMPANY (UK) LTD.,		
19	MATTHEW D. EITNER, and JAMES P. AHERN,		
20	Counterclaimants,		
21	VS.		
22	RELMADA THERAPEUTICS, INC., a		
23	Nevada corporation, SANDESH SETH, SERGIO TRAVERSA, CHUCK		
24	CASAMENTO, MAGED SHENOUDA, PAUL KELLY, SHEERAM AGHARKAR,		
25	Counterclaim Defendants.		
26			
27			

Case No.: 2:15-CV-2338-JCM-CWH

STIPULATION AND ORDER **REGARDING PLAINTIFF'S MOTION** FOR LEAVE TO AMEND COMPLAINT (Dkt. #39) AND COUNTERCLAIM **DEFENDANTS' MOTION TO PARTIALLY DISMISS COUNTERCLAIM (Dkt. #38)** 

28

1

#### 3 4

## 5

#### 6 7

#### 8 9

#### 10

#### 11 12

### 13

## 14

#### 15 16

### 17

#### 18 19

### 20

## 21

## 22

#### 23 24

#### 25

#### 26

#### 27

# 28

#### STIPULATION AND ORDER REGARDING PLAINTIFF'S MOTION FOR LEAVE TO AMEND COMPLAINT (Dkt. #39) AND COUNTERCLAIM DEFENDANTS' MOTION TO PARTIALLY DISMISS COUNTERCLAIM (Dkt. #38)

COME NOW Defendants/Counterclaimants Laidlaw & Company (UK) Ltd., Matthew D. Eitner, and James P. Ahern (the "Laidlaw Parties"), by and through their undersigned counsel of record, the law firm of Greenberg Traurig, LLP, and Plaintiff/Counterclaim Defendant Relmadal Therapeutics, Inc. and Counterclaim Defendants Sandesh Seth, Sergio Traversa, Chuck Casamento, Maged Shenouda, Paul Kelly, and Sheeram Agharkar (the "Relmada Parties"), by and through their undersigned counsel of record, the law firm of Brownstein Hyatt Farber Schreck, LLP, and hereby stipulate and agree as follows:

- 1. The Laidlaw Parties do not oppose Plaintiff's Motion for Leave to Amend Complaint (Dkt. #39) and it shall be GRANTED. The Laidlaw Parties' stipulation to the granting of this Motion shall be without prejudice to the Laidlaw Parties' ability to challenge the claims set forth in the Amended Complaint and shall not be construed as an admission as to any of the allegations set forth in the Amended Complaint.
- 2. Plaintiff shall file its Amended Complaint within three (3) calendar days after the Court's entry of the Order on this Stipulation.
- 3. The Laidlaw Parties shall answer or otherwise respond to the Amended Complaint within twenty-one (21) calendar days after the filing of the Amended Complaint.
- 4. The Laidlaw Parties shall file an Amended Counterclaim within twenty-one (21) calendar days after the filing of the Amended Complaint. The Relmada Parties' stipulation regarding the filing of this Amended Counterclaim shall be without prejudice to the Relmadal Parties' ability to challenge the claims set forth in the Amended Counterclaim and shall not be construed as an admission as to any of the allegations set forth in the Amended Counterclaim.
- 5. The Relmada Parties shall answer or otherwise respond to the Amended Counterclaim within twenty-one (21) calendar days after the filing of the Amended Counterclaim.
- 6. The Relmada Parties' Motion to Partially Dismiss Counterclaim (Dkt. #38) shall be withdrawn as MOOT based upon the forthcoming Amended Counterclaim contemplated by this Stipulation without prejudice to the Relmada Parties' ability to file a motion to dismiss the NY 245663297v3

1 Amended Counterclaim in whole or in part. 2 7. The Relmada Parties and Laidlaw Parties shall have thirty (30) days from the filing 3 of the Amended Counterclaim in which to conduct their Federal Rule of Civil Procedure 26(f) 4 conference so that the parties' amended pleadings may be filed prior to such a conference. 5 IT IS SO STIPULATED. DATED this 10<sup>th</sup> day of February, 2016. DATED this 10<sup>th</sup> day of February, 2016. 6 7 GREENBERG TRAURIG, LLP **BROWNSTEIN HYATT FARBER** SCHRECK, LLP 8 /s/ Jeffrey S. Rugg /s/ Christopher R. Miltenberger 9 Jeffrey S. Rugg, Esq., NBN 10978 Mark E. Ferrario, Esq. NBN 1625 Maximilien D. Fetaz, Esq., NBN 12737 Tami D. Cowden, Esq. NBN 8994 10 100 North City Parkway, Suite 1600 Christopher R. Miltenberger, Esq. NBN 10153 3773 Howard Hughes Parkway, Suite 400N Las Vegas, Nevada 89106 11 Las Vegas, Nevada 89169 Deborah S. Birnbach, Esq. (pro hac vice) 12 Adam Slutsky, Esq. (pro hac vice) Counsel for Defendants/Counterclaimants GOODWIN PROCTER LLP Laidlaw & Company (UK) Ltd., Matthew D. Eitner, 13 Exchange Place and James P. Ahern Boston, MA 02109 14 Counsel for Plaintiff/Counterclaim Defendant 15 Relmada Therapeutics, Inc. and Counterclaim Defendants Sandesh Seth, Sergio Traversa, 16 Chuck Casamento, Maged Shenouda, Paul Kelly, and Shreeram Agharkar 17 18 **ORDER** 19 IT IS SO ORDERED. 20 alle C. Mahan 21 UNITED STATES DISTRICT JUDGE 22 DATED: February 17, 2016 23 Respectfully submitted by: 24 /s/ Christopher R. Miltenberger 25 Mark E. Ferrario, Esq. NBN 1625 Tami D. Cowden, Esq. NBN 8994 26 Christopher R. Miltenberger, Esq. NBN 10153 GREENBERG TRAURIG, LLP 27 3773 Howard Hughes Parkway, Suite 400N Las Vegas, Nevada 89169 28 Counsel for Defendants/Counterclaimants

Laidlaw & Company (UK) Ltd., Matthew D. Eitner, and James P. Ahern

NY 245663297v3